

COMING TELEGRAM

## Department of State

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FROM: MOSCOW

TO: Secretary of State

NO: 1805, MARCH 12, 6 P.M.

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MAR 12 1959

RE DEPTTEL 1428.

ONE OBVIOUS SOVIET OBJECTIVE IN BERLIN MOVE IS TO STRENGTHEN  
LEGAL BASIS OF GDR AND WEAKEN ALLIED RIGHTS IN BERLIN.  
I SHOULD THINK U.N. COULD PLAY USEFUL ROLE IN COUNTERING  
THESE OBJECTIVES. IF U.N. ACTION COULD BE DIRECTED TOWARD  
OBTAINING ADVISORY OPINION FROM WORLD COURT EITHER BY SECRETARY  
GENERAL, SECURITY COUNCIL OR GA THIS SHOULD MINIMIZE POSSIBILITY  
U.N. IMPLICATION IN POLITICAL ACTIVITIES RESTRICTING OUR  
FREEDOM OF ACTION. REQUEST FOR LEGAL OPINION COULD BE  
COMBINED WITH CALL ON GOVERNMENTS (AS SUGGESTED IN BERLIN 712,  
729) NOT TO TAKE UNILATERAL ACTION INTERFERING WITH ACCESS  
TO BERLIN.

TIMING OF MOVE COULD COME ANYTIME BETWEEN NOW AND SIGNATURE  
BY SOVIETS OF SEPARATE PEACE TREATY WITH GDR. ALTHOUGH  
PRESUMABLY SOVIETS WOULD NOT ACTUALLY HAVE CONCLUDED SEPARATE  
PEACE TREATY AT TIME MATTER WOULD BE BROUGHT BEFORE U.N.,  
THEY HAVE REPEATEDLY STATED THEIR INTENTION TO DO SO AND  
ASSERTED THAT THIS WOULD EXTINGUISH OUR RIGHTS IN BERLIN.  
IF COURT RULING COULD BE OBTAINED SHOWING THAT SOVIET  
ACTION COULD NOT EXTINGUISH OUR RIGHTS, SHOULD THING THIS  
WOULD STRENGTHEN OUR POSITION IN MAINTAINING OUR RIGHTS  
OF ACCESS. IN ANY EVENT SOVIET VETO OF OR PUBLIC OPPOSITION  
TO REQUEST FOR ADVISORY OPINION SHOULD BE USEFUL TO US.

THOMPSON

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 By TMA NARA, Date 1-5-90